

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL MINUTES

Date: December 6, 2021 **Time:** 2:36-2:49 pm **Judge:** Edward J. Davila

Total Time: 13 Mins.

Case No.: [20-cr-00425-EJD-](#) **Case Name:** UNITED STATES v. Mark Schena (P)(NC)

[1](#)

Attorney for Plaintiff: Jacob Foster, Lloyd Farnham

Attorney for Defendant: Robert Carlin (AFPD)

Deputy Clerk: Adriana M. Kratzmann

Court Reporter: Summer Fisher

Interpreter: N/A

Probation Officer: N/A

**PROCEEDINGS – STATUS CONFERENCE
Via Zoom Webinar remotely due to COVID19**

Defendant is present, out of custody and consents to the proceeding being held via video. Counsel updated the court as to the status of the matter. Defendant anticipates retaining previous defense counsel this week.

The Court set a further status conference and possible ID of counsel for 12/13/2021 at 8:00 a.m. via Zoom.

Should defense counsel be retained prior to the hearing date, a substitution of counsel with an exclusion of time shall be filed with the Court.

Pursuant to 18 U.S.C. §3161(h)(7)(A), the Court found the ends of justice served in granting the continuance outweighed the best interests of the public and the defendant in a speedy trial and excluded time from 12/6/2021 through and including 12/13/2021. For the reasons stated on the record, time is excluded pursuant to 18 U.S.C. §3161(h)(7)(B)(iv).

CASE CONTINUED TO: December 13, 2021 8:00 A.M. for Further Status Conference via Zoom webinar remotely.

Under federal law, including Rule 5(f) of the Federal Rules of Criminal Procedure, *Brady v. Maryland*, 373 U.S. 83 (1963), and all applicable decisions interpreting *Brady*, the government has a continuing obligation to produce all information or evidence known

P/NP: Present, Not Present
C/NC: Custody, Not in Custody
I: Interpreter


Adriana M. Kratzmann
Courtroom Deputy
Original: Efiled
CC:

to the government that is relevant to the guilt or punishment of a defendant, including, but not limited to, exculpatory evidence.

Accordingly, the Court Orders the government to produce to the defendant in a timely manner all information or evidence known to the government that is either: (1) relevant to the defendant's guilt or punishment; or (2) favorable to the defendant on the issue of guilt or punishment.

This Order is entered under Rule 5(f) and does not relieve any party in this matter of any other discovery obligation. The consequences for violating either this Order or the government's obligations under *Brady* include, but are not limited to, the following: contempt, sanction, referral to a disciplinary authority, adverse jury instruction, exclusion of evidence, and dismissal of charges.

EXCLUDABLE DELAY:

Category – Effective preparation of counsel

Begins – 12/6/2021

Ends – 12/13/2021

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I: Interpreter


Adriana M. Kretzmann
Courtroom Deputy
Original: Efiled
CC: